GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – Agriculture & Cooperation Department – Smt. N.Padmavathi, the then Joint Director of Agriculture (SC) & Joint Director of Agriculture (Admn) I/c, O/o Commissioner & Director of Agriculture, A.P., Guntur and presently working as District Agricultural Officer, Krishna District – Failure in discharging her official duties leading to 'misconduct' under A.P. Civil Services (Conduct) Rules, 1964 – Initiation of disciplinary proceedings under A.P. Civil Services (CC&A) Rules, 1991 - Articles of Charge – Issued.

AGRICULTURE & COOPERATION (VIG.I) DEPARTMENT

G.O.Rt.No.19 **Dated:10/01/2024**

Read the following:

1. Hon'ble High Court of A.P., Amaravathi Orders dt.05.10.2020 in I.A.No.I of 2020 in W.P.No.17907 of 2020 filed by Sri Muddapappu Venugopal and Another.
2. Govt. Memo. No. AGRIOAEST/239/Agri.I(2)/2019, A&C(Agri.I) Dept., dt.13.11.2020.
3. Orders dt.15.03.2022 of Hon'ble High Court of A.P., Amaravathi in Contempt Case No. 1747/2021 filed by Sri Muddapappu Venugopal, Agriculture Extension Officer, Muppalla (V) & (M) Guntur district in W.P.No.17907/2020.
4. From the Special Commissioner of Agriculture, A.P., Guntur, Lr.No.AGC02-32027(32)/22/2021, dt.03.09.2023.
5. Govt. Memo. No. AGC01-AGRI0AEST/82/2023-AGRI-I, A&C (Vig.I) dt.13.10.2023.
6. From the Special Commissioner of Agriculture, A.P., Guntur, Lr.No.AGC02-32027(32)/22/2021, dt.23.11.2023.
7. Govt. Memo. No. AGC01-AGRI0AEST/82/2023-AGRI-I, A&C (Vig.I) Dept., dt.08.12.2023
8. From the Special Commissioner of Agriculture, A.P., Guntur, Lr.No.AGC02-32027(32)/22/2021, dt.25.12.2023

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O R D E R:

It is proposed to hold an enquiry against Smt. N.Padmavathi, the then Joint Director of Agriculture (SC) & Joint Director of Agriculture (Admn.) I/c., O/o Commissioner & Director of Agriculture, A.P., Guntur and presently working as District Agricultural Officer, Krishna District, in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or mis-behaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Articles of Charges (Annexure-I). Statement of imputation of misconduct or misbehaviour on which action is proposed to be taken against her as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Smt. N.Padmavathi, the then Joint Director of Agriculture (SC) & Joint Director of Agriculture (Admn.) I/c, O/o Commissioner & Director of Agriculture, A.P., Guntur and presently working as District Agricultural Officer, Krishna District, is directed to submit a Written Statement of Defense (WSD) within (10) days of the receipt of this order.

4. Smt. N.Padmavathi, the then Joint Director of Agriculture (SC) & Joint Director of Agriculture (Admn.) I/c, O/o Commissioner & Director of Agriculture, A.P., Guntur and presently working as District Agricultural Officer, Krishna District, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. She should therefore, specifically admit or deny each Article of Charge.

5. Smt. N.Padmavathi, the then Joint Director of Agriculture (SC) & Joint Director of Agriculture (Admn.) I/c, O/o Commissioner & Director of Agriculture, A.P., Guntur and presently working as District Agricultural Officer, Krishna District, is further informed that if she does not submit her Written Statement of Defense (WSD) on or before the date specified in para-3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against her ex-parte.

(P.T.O)

6. Attention of Smt. N.Padmavathi, the then Joint Director of Agriculture (SC) & Joint Director of Agriculture (Admn.) I/c, O/o Commissioner & Director of Agriculture, A.P., Guntur and presently working as District Agricultural Officer, Krishna District, is invited to rule 24 of the A.P. Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further her interest in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Smt. N.Padmavathi, the then Joint Director of Agriculture (SC) & Joint Director of Agriculture (Admn.) I/c, O/o Commissioner & Director of Agriculture, A.P., Guntur and presently working as District Agricultural Officer, Krishna District, is aware of such a representation and that it has been made at her instance and action will be taken against her for violation of rule 24 of the A.P. Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:

Smt. N.Padmavathi, the then Joint Director of Agriculture (SC) &
Joint Director of Agriculture (Admn.) I/c, O/o C & DA, A.P., Guntur
and presently working as District Agricultural Officer, Krishna District.
(Through the Special Commissioner of Agriculture, A.P., Guntur)

Copy to:

The Special Commissioner of Agriculture, A.P., Guntur.
(With a request to serve the original G.O. on the Charged Officer and obtain her dated acknowledgement on the Xerox copy and furnish the same along with her Written Statement of Defense (WSD) to the Government)

Sf/Sc.

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SMT.N. PADMAVATHI, THE THEN JOINT DIRECTOR OF AGRICULTURE (SOIL CORRELATOR) & JOINT DIRECTOR OF AGRICULTURE (ADMN.) I/c., O/o COMMISSIONER & DIRECTOR OF AGRICULTURE, A.P., GUNTUR AND PRESENTLY WORKING AS DISTRICT AGRICULTURE OFFICER, KRISHNA DISTRICT.

Articles of Charge:

"That the said Smt. N. Padmavathi, while working as Joint Director of Agriculture (Soil Correlator) and Joint Director of Agriculture (Admn.) I/c, O/o Commissioner & Director of Agriculture, A.P., Guntur, has received a message from their Liasion Officer to A.P.High Court, Amaravati, on 05.10.2020, with regard to stay order dt.05.10.2020 in I.A.No.1 of 2020 in W.P.No.17907 of 2020 filed by Sri Muddapappu Venugopal, AEO & Another and not communicated the same to the Commissioner of Agriculture, A.P., Guntur, which has stalled immediate further action on the promotion orders issued to the AEOs concerned and paved way for violation of the said Court Orders.

Besides, she has not taken all the possible steps to ensure the filing of Counter Affidavit in the above said I.A., inspite of Government instructions issued vide Memo AGRIOAEST/239/Agri.I(2)/2019, Dt.13.11.2020 of A & C (Agri.I). Department, resulting in issuance of orders from the Hon'ble High Court of A.P., Amaravati, for personal appearance of the Special Chief Secretary to Government, Agri. and the Spl.Commissioner of Agriculture, A.P., Guntur.

Thus, the above failure in discharging her official duties proves her 'misconduct' and violation of Rule 3 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964".

Sd/- Gopala Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

(P.T.O.)

ANNEXURE-II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SMT.N. PADMAVATHI. THE THEN JOINT DIRECTOR OF AGRICULTURE (SOIL CORRELATOR) & JOINT DIRECTOR OF AGRICULTURE (ADMN.) I/c, O/o COMMISSIONER & DIRECTOR OF AGRICULTURE, A.P., GUNTUR AND PRESENTLY WORKING AS DISTRICT AGRICULTURAL OFFICER, KRISHNA DISTRICT.

Basis of the Charge:

The Special Commissioner of Agriculture, A.P., Guntur, vide Letter No. 3008624/2019 /ADM A5-AGRHOD4, dt:16.06.2020, has submitted detailed report to the Government on the representation of Agriculture Extension Officers, who possessed B.Sc (Ag) from Non-ICAR Universities, for adhoc promotions to the cadre of Agricultural Officers, duly relaxing the relevant rules. Accordingly, the Government, after careful examination of the matter, have issued orders, vide Memo. No. AGRIOAEST/239/Agri.I(2)/2019, dt:23.09.2020, relaxing the rules in G.O.Ms.No.16, A&C (FP-I) Dept., dt:21.01.2000 read with G.O.Ms.No.1, A&C (Agri.I) Dept., Dt:03.01.2017, in favour of the Non- ICAR Agriculture Extension Officers, for considering promotion to the posts of Agriculture Officers, as a Special case.

Basing on the above, the Special Commissioner of Agriculture, A.P., Guntur has issued Adhoc Promotions to the Non-ICAR Agriculture Extension Officers as Agriculture Officers vide (i) Procgs. No. AII (3)375/2020, Dt. 01.10.2020 (Zone.IV), (ii) Procgs.No.AII (2)320/2020, Dt.25.09.2020 (Zone.III) and (iii) Procgs. No. AGC02/32022(36)/5/2021, Dt.28.09.2020 (Zone.II).

Aggrieved by the above, Sri. M.Venugopal, Agriculture Extension Officer, Guntur has filed I.A. 1 of 2020 in WP No.17907 of 2020 and prayed the Hon'ble A.P. High Court of A.P., Amaravati, to suspend the impugned Memo. No. AGRI0AEST/239/ Agri-I(2)/2019, Dt.23.09.2020 and the Hon'ble High Court has issued the following interim stay orders dt.05.10.2020:

> "There shall be interim stay of all further proceedings pursuant to Memo No. AGRIOAEST/ 239/ Agri.I(2)/2019, dt:23.09.2020 issued by the 1st respondent (i.e. Government) until further orders"

Though the above stay orders have been communicated by the Liaison officer, through message, to Smt. N. Padmavathi, the then Joint Director of Agriculture (SC) & Joint Director of Agriculture (Admin) I/c on the same day, she has not further communicated the same to the Special Commissioner of Agriculture. In spite of the Government instructions issued vide Memo.No. AGRI0AEST/239/Agri.I(2)/2019, dt.13.11.2020, to take necessary action to file Counter Affidavit on behalf of the Government also in IA No.1 of 2020 in W.P.No.17907/2020 filed by Sri M.Venu Gopal & Another on behalf of the Government, she has not taken the possible steps to ensure the filing of the Counter Affidavit.

Further, in her explanation dt.Nil. (received on 03.03.2022) to the Show Cause Notice dt.10.01.2022 she has stated that, since the Government have given relaxation to the Non- ICAR AEOS to issue promotions to the 15 Non-ICAR AEOS as a special case vide their Memo Dt. 23.09.2020, they have to file Counter Affidavit in the above W.P. No. 17907 of 2020, as the Hon'ble High Court have passed interim stay orders on their Memo. Dt.23.09.2020. She has badly delayed further action in the matter and Sri. M. Venu Gopal, AEO has filed C.C.No. 1747 of 2021 in W.P.17907 of 2020 before the Hon'ble High Court of A.P., Amaravati and Hon'ble Court has issued orders dt.03.12.2021 directing the Special Chief Secretary to Govt., Agri. and the Special Commissioner of Agriculture, A.P., Guntur to appear in person before Hon'ble High Court of A.P. on 07.01.2022 at 10.00 AM and shall continue to attend the High Court on all days thereafter, to which date the case against them stands adjourned, and until final orders passed on the charge against them.

Thus, the above violation of court orders and dereliction of duties show her 'misconduct and thereby violation of Rule 3 of the A.P. Civil Services (Conduct) Rules, 1964.

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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SECTION OFFICER

(Contd.p.3)

ANNEXURE-III

LIST OF DOCUMENTS ON THE BASIS OF WHICH THE DRAFT ARTICLES OF CHARGE FRAMED AGAINST SMT.N. PADMAVATHI. THE THEN JOINT DIRECTOR OF AGRICULTURE (SOIL CORRELATOR) & JOINT DIRECTOR OF AGRICULTURE (ADMN.)I/c, O/o COMMISSIONER & DIRECTOR OF AGRICULTURE, A.P., GUNTUR AND PRESENTLY WORKING AS DISTRICT AGRICULTURAL OFFICER, KRISHNA DISTRICT ARE PROPOSED TO BE SUSTAINED.

1. Govt. Memo No. AGRI0AEST/239/Agri.I(2)/2019, dt:23.09.2020
2. Proceedings No. AII(2)/320/2020 of C&DA, AP, Guntur, dt. 25-09-2020.
3. Proceedings No. AII(3)/375/2020 of C&DA, AP, Guntur, dt. 01-10-2020.
4. Orders dated. 05-10-2020 of Hon'ble High Court of Andhra Pradesh at Amaravati made in I.A No. 1 of 2020 in W.P.No. 17907 of 2020 fed by Sri. Muddapappu Venugopal and another.
5. Memo No.AGRI0AEST/239/Agri.I(2)/2019 of Agriculture & Cooperation (Agri.I) Department, dt.13-11-2020.
6. SCN. vide Vig.II(2) AGC02-32027(32)22/2021, Dt.10.01.2022.
7. Explanation of Smt.N.Padmavathi, the then JDA (Soil Correlator)& JDA (Admn.) I/c, O/o C&DA, AP, Guntur, dt.23-02-2022.
8. Affidavit submitted to Hon'ble High Court by the Smt.N. Padmavathi, the then JDA (Soil Correlator) and JDA (Admn.) I/c, O/o C&DA, AP, Guntur, and presently working as DAO, Krishna District.
9. Judgement of Hon'ble AP High Court Dt. 15.03.2022 in CC No.1747/2021.

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE DRAFT ARTICLES OF CHARGE FRAMED AGAINST SMT.N. PADMAVATHI. THE THEN JOINT DIRECTOR OF AGRICULTURE (SOIL CORRELATOR) & JOINT DIRECTOR OF AGRICULTURE (ADMN.)I/c, O/o COMMISSIONER & DIRECTOR OF AGRICULTURE, A.P., GUNTUR AND PRESENTLY WORKING AS DISTRICT AGRICULTURAL OFFICER, KRISHNA DISTRICT ARE PROPOSED TO BE SUSTAINED.

1. Sri S.Doondi Eswara Rao, Liaison Officer, O/o C&DA, AP, Guntur.
2. Sri K. Ramalingam, Senior Assistant, O/o C&DA, AP, Guntur.
3. Sri. Parvez Khan, Superintendent ,O/o C & DA, AP, Gunur.
4. Sri. M.H. Baig, Superintendent, O/o C & DA, AP, Guntur.

Sd/- Gopal Krishna Dwivedi
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER